

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18323 of 2015**

Arising Out of PS.Case No. -306 Year- 2014 Thana -SULTANGANJ District- BHAGALPUR

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Mahboob Miya son of Md. Mahmood @ Mahmood Miya, Resident of  
village - Masdi, Police Station - Sultanganj, District - Bhagalpur.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party/s

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with

**Criminal Miscellaneous No.21796 of 2015**

Arising Out of PS.Case No. -306 Year- 2014 Thana -SULTANGANJ District- BHAGALPUR

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Bikram Mandal, son of Chote Mandal, Resident of village- Masdi, Police  
Station- Sultanganj, District- Bhagalpur

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

(In Cr.Misc. No.18323 of 2015)

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Sucheta Yadav(App)

(In Cr.Misc. No.21796 of 2015)

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Sharda Kumari(App)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      20-07-2015                      Heard learned counsel for the petitioners and  
  
learned counsel for the State.

Diary in the present case has also been  
  
received.

Petitioners in Cr. Misc. No.18323 of 2015 and

Cr. Misc. No.21796 of 2015 are in custody since 10.12.2014 and 19.12.2014 respectively in connection with Sultanganj P.S. Case No.306 of 2014, registered for the offence under Sections- 364 and 365/34 of I.P.C.

Learned counsel for the petitioners submits that it is out and out a case of false implication and there is no cogent material in the case diary so as to connect the petitioners with this case. It is further submits that the petitioners' names have been taken mischievously by the police themselves as the person who is said to have named them in para-22 of the case diary has no connection whatsoever and belongs to a different village and the question of his identifying the accused persons cannot be considered fit and proper. It is further submitted that these two petitioners have no criminal antecedents and the informant has also stated that she has not named them.

Considering the aforementioned submissions, the period of custody and fair antecedent and also the identification made by a stranger, let the petitioners named above be enlarged on bail upon furnishing the bail-bonds of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of

learned Chief Judicial Magistrate, Bhagalpur, in  
connection with Sultanganj P.S. Case No.306 of 2014.

(Anjana Mishra, J)

K.C.jha/-

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